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Title of Document Transmitted:	**TRANSMITTALS AND BRIEF OF APPELLANT(S)**
Applicant:	Jose M. de Freitas Garcia et al.
Serial No.:	10/800,585
Filed:	March 15, 2004
Group Art Unit:	2176
Title:	AUTOMATIC VIEW CREATION IN A SHEET SET MANAGER FOR A GRAPHICS PROGRAM
Our Ref. No.:	G&C 30566.319-US-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Jose M. de Freitas Garcia et al.	Examiner:	Henry W. Orr
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CERTIFICATE OF MAILING OR TRANSMISSION UNDER 37 CFR 1.8

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By: C. Flores
Name: Christine Flores

MAIL STOP APPEAL BRIEF - PATENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

We are transmitting herewith the attached:

☒ Transmittal sheet, in duplicate, containing a Certificate of Mailing or Transmission under 37 CFR 1.8.
☒ Brief of Appellant(s).
☒ Charge the Fee for the Brief of Appellant(s) in the amount of $510.00 to the Deposit Account.

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By: [signature]
Name: George H. Gates
Reg. No.: 33,500
GHG/cf

Due Date: December 10, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:	
Inventors: Jose M. de Freitas Garcia et al.	Examiner: Henry W. Orr
Serial #: 10/800,585	Group Art Unit: 2176
Filed: March 15, 2004	Appeal No.: _____
Title: AUTOMATCI VIEW CREATION IN A SHEET SET MANAGER FOR A GRAPHICS PROGRAM	

BRIEF OF APPELLANTS

MAIL STOP APPEAL BRIEF - PATENTS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR §41.37, Appellants' attorney hereby submits the Brief of Appellants on appeal from the final rejection in the above-identified application as set forth in the Office Action dated July 6, 2007.

Please charge the amount of $510.00 to cover the required fee for filing this Brief as set forth under 37 CFR §41.20(b)(2) to Deposit Account No. 50-0494 of Gates & Cooper LLP, attorneys for the assignee of the present application. Also, please charge any additional fees or credit any overpayments to Deposit Account No. 50-0494.

I. REAL PARTY IN INTEREST

The real party in interest is Autodesk, Inc., the assignee of the present application.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences for the above-referenced patent application.

III. STATUS OF CLAIMS

Claims 1-33 are pending in the application.

Claims 1-3, 12-14 and 23-25 were rejected under 35 U.S.C. §103 as being obvious in view of the combination of U.S. Patent No. 6,339,439 (Bonney) and U.S. Patent Publication No. 2004/0177089 (Love).

Claims 4, 15 and 26 were rejected under 35 U.S.C. §103 as being obvious in view of the combination of Bonney, Love and U.S. Patent Publication No. 2003/0031380 (Song).

Claims 5-11, 16-22 and 27-33 were rejected under 35 U.S.C. §103 as being obvious in view of the combination of Bonney, Love and U.S. Patent Publication No. 2003/0043177 (Kawai).

Claims 1-33 are being appealed.

IV. STATUS OF AMENDMENTS

An amendment under 37 C.F.R. §41.33(a) was submitted after the Notice of Appeal. However, there has been no indication yet whether the amendment will be entered. Nonetheless, the claims found in the Claims Appendix include these amendments.

V. SUMMARY OF THE INVENTION

Appellants' independent claim 1 is directed to a method for operating a graphics program (108) in a computer (100). (See, page 5, lines 25-30 referring to 100 and 108 in FIG. 1.) The method includes performing one or more functions of a Sheet Set Manager in the graphics program (108). (See, page 5, lines 11-15; and page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and reference number 206 in FIG. 2). The Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets. (See page 3, line 25 through page 4, line 2; page 5, lines 11-15; page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and reference number 206 in FIG. 2.) The function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation. (See page 8,

lines 30-31 referring to FIG. 3C; page 9, lines 25-32 referring to reference numbers 300, 310 and 312 in FIG. 3C; page 11, line 19 through page 12, line 18; page 12, line 21 through page 13, line 8; and page 17, line 20 through page 18, line 8 referring to reference numbers 800-812 in FIG. 8.)

Appellants' independent claim 12 is directed to an apparatus for operating a graphics program (108) in a computer (100). (See, page 5, lines 25-30 referring to 100 and 108 in FIG. 1.) The apparatus includes a graphics program (108), executed by the computer (100) and performing one or more functions of a Sheet Set Manager in the graphics program (108). (See, page 5, lines 11-15; and page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and reference number 206 in FIG. 2.) The Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets. (See page 3, line 25 through page 4, line 2; page 5, lines 11-15; page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and reference number 206 in FIG. 2.) The function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation. (See page 8, lines 30-31 referring to FIG. 3C; page 9, lines 25-32 referring to reference numbers 300, 310 and 312 in FIG. 3C; page 11, line 19 through page 12, line 18; page 12, line 21 through page 13, line 8; and page 17, line 20 through page 18, line 8 referring to reference numbers 800-812 in FIG. 8.)

Appellants' independent claim 12 is directed to an article of manufacture comprising a program storage device embodying instructions that, when executed by a computer (100), cause the computer (100) to perform a method for operating a graphics program (108) in a computer (100). (See, page 5, line 25 through page 6, line 11 referring to 100 and 108 in FIG. 1.) The method includes performing one or more functions of a Sheet Set Manager in the graphics program (108). (See, page 5, lines 11-15; and page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and reference number 206 in FIG. 2.) The Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets. (See page 3, line 25 through page 4, line 2; page 5, lines 11-15; page 7, line 19 through page 8, line 16 referring to reference number 100 in FIG. 1 and

reference number 206 in FIG. 2.) The function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation. (See page 8, lines 30-31 referring to FIG. 3C; page 9, lines 25-32 referring to reference numbers 300, 310 and 312 in FIG. 3C; page 11, line 19 through page 12, line 18; page 12, line 21 through page 13, line 8; and page 17, line 20 through page 18, line 8 referring to reference numbers 800-812 in FIG. 8.)

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 1-3, 12-14 and 23-25 are obvious under 35 U.S.C. §103 in view of the combination of Bonney et al., U.S. Patent 6,339,439 (Bonney) and Love et al., U.S. Publication 2004/0177089 (Love).

2. Whether claims 4, 15 and 26 are obvious under 35 U.S.C. §103 in view of the combination of Bonney, Love and Song, U.S. Publication 2003/0031380 (Song).

3. Whether claims 5-11, 16-22 and 27-33 are obvious under 35 U.S.C. §103 in view of the combination of Bonney, Love and Kawai, U.S. Publication 2003/0043177 (Kawai).

VII. ARGUMENTS

A. Arguments directed to the first grounds for rejection: Whether claims 1-3, 12-14 and 23-25 are obvious under 35 U.S.C. §103 in view of the combination of U.S. Patent No. 6,339,439 (Bonney) and U.S. Patent Publication No. 2004/0177089 (Love).

1. Independent claims 1, 12 and 23.

Independent claims 1, 12 and 23 recite the function of Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in a Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation. Neither of the references, taken individually or in combination, teach or suggest these limitations.

The Office Action asserts that Bonney teaches a CAD program that is capable of functioning as a Sheet Set Manager and that Bonney teaches drawings and views, which the Office Action considers to be a set of sheets and subsets of the sheets. However, the Office Action admits that Bonney fails to expressly teach presenting a user with a list of views defined in a Sheet Set and the user placing a view from the list onto a Sheet. Nonetheless, the Office Action asserts that Love

teaches that a user can select a view from a list of views and display the drawing containing the selected view. The Office Action then states that it would have been obvious to one of ordinary skill in the art at the time the invention was made to manage the views of the drawings generated by Bonney's compurer aided program with the list of views as taught by Love to provide the benefit of an effective identification of separate views in a drawing.

Appellants' attorney disagrees.

For example, at the cited locations in Love, namely paragraphs [0002], [0007] and [0058], the following is described:

> [0002] In designing new products, the designer or engineer can help to reduce costs by being able to retrieve drawings of existing components from a database of drawings in a Computer Aided Design (CAD) system. This can help to prevent unnecessary duplication of component designs or save time by adapting designs of existing components. The effectiveness of a retrieval system depends on its ability to search a large number of drawings of components so as to identify a drawing or drawings of one or more similar components.
>
> [0007] Another problem arises when a drawing comprises more than one view. For example, an engineering drawing of a component may include separate views of different elevations, sectional views or views showing parts of the component in greater detail. Identification of separate views in a drawing represented by a bit-map is difficult because bit-map systems rely on pattern recognition.
>
> [0058] The system allows the designer to enter a drawing or sketch of a required component. The system performs a comparison of the view code for the sketch with the view codes of one or more drawings in the database and determines a similarity index for each view compared. The user can then select the most similar view, or another view from a list of views in order of similarity and display the drawing containing the selected view.

In the above portion of Love, a comparison of views is being performed, not a view creation. Note that, in Love, the view code for the drawing exists and is compared to other views in the database to determine the most similar view in another drawing.

However, none of these functions are related to Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Nowhere does Love describe a similar function.

Thus, Appellants' attorney submits that independent claims 1, 12 and 23 are patentable over the combination of Bonney and Love.

2. Dependent claims 2, 13 and 24.

Dependent claims 2, 13 and 24 recite that boundaries for the views are re-defined after creation. The Office Action asserts that these limitations are taught by Love at paragraphs [0021]-[0023]. However, these paragraphs of Love merely describe identifying the views in a drawing, in order to code the views for later comparison purposes. Nowhere does Love describe re-defining boundaries for views after the views are created, in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 2, 13 and 24 are patentable over the combination of Bonney and Love.

3. Dependent claims 3, 14 and 25.

Dependent claims 3, 14 and 25 recite that each of the views is associated with a viewport. These claims stand or fall with independent claims 1, 12 and 23.

B. Arguments directed to the second grounds for rejection: Whether claims 4, 15 and 26 are obvious under 35 U.S.C. §103 in view of the combination of Bonney, Love and U.S. Patent Publication No. 2003/0031380 (Song).

1. Dependent claims 4, 15 and 26.

Dependent claims 4, 15 and 26 recite that each of the views is represented by a thumbnail preview image displayed by the Sheet Set Manager. These claims stand or fall with independent claims 1, 12 and 23.

C. Arguments directed to the third grounds for rejection: Whether claims 5-11, 16-22 and 27-33 are obvious under 35 U.S.C. §103 in view of the combination of Bonney, Love and U.S. Patent Publication No. 2003/0043177 (Kawai).

1. Dependent claims 5, 16 and 27.

Dependent claims 5, 16 and 27 recite that the Sheet Set Manager automatically creates one or more different views for the Sheets in response to a user command. The Office Action asserts that these limitations are taught by Kawai at paragraph [0047] and in Figures 7, 8 and 9. However, these paragraphs and Figures of Kawai describe creating a view in another context, but not in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 5, 16 and 27 are patentable over the combination of Bonney, Love and Kawai.

2. Dependent claims 6, 17 and 28.

Dependent claims 6, 17 and 28 recite that the user command comprises a drag-and-drop operation. These claims stand or fall with dependent claims 15, 16 and 27.

3. Dependent claims 7, 18 and 29.

Dependent claims 7, 18 and 29 recite that the Sheet Set Manager creates a reference to a file containing the automatically created view. The Office Action asserts that these limitations are taught by Bonney at col. 6, lines 15-17. However, these paragraphs of Bonney refer to a sheet represented by an icon having been stored in a file, but not a file containing an automatically created view, wherein the view was created in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 7, 18 and 29 are patentable over the combination of Bonney, Love and Kawai.

4. Dependent claims 8, 19 and 30.

Dependent claims 8, 19 and 30 recite that the Sheet Set Manager creates a viewport displaying a geometric region defined in the automatically created view. The Office Action asserts

that these limitations are taught by Kawai in Figure 5. However, this Figure of Kawai merely refers to a view, but not a viewport for an automatically created view, wherein the view was created in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 8, 19 and 30 are patentable over the combination of Bonney, Love and Kawai.

5. Dependent claims 9, 20 and 31.

Dependent claims 9, 20 and 31 recite that the automatically created view is placed in a hierarchical representation displayed on the computer. The Office Action asserts that these limitations are taught by Bonney in Figure 2. However, this Figure of Bonney merely refers to a hierarchical representation of drawings, but not an automatically created view in a hierarchical representation, wherein the view was created in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 9, 20 and 31 are patentable over the combination of Bonney, Love and Kawai.

6. Dependent claims 10, 21 and 32.

Dependent claims 10, 21 and 32 recite that the Sheet Set Manager places a label block associated with the automatically created view into the Sheet, with fields to display label information for the automatically created view, which updates automatically if the field's values change. The Office Action asserts that these limitations are taught by Bonney at col. 6, lines 33-37. However, this portion of Bonney merely refers to a field of a sheet that is automatically updated, but not a label block associated with an automatically created view, wherein the view was created in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 10, 21 and 32 are patentable over the combination of Bonney, Love and Kawai.

7. Dependent claims 11, 22 and 33.

Dependent claims 11, 22 and 33 recite that the Sheet Set Manager allows a user to adjust a scale of the automatically created view. The Office Action asserts that these limitations are taught by Kawai at paragraph [0033]. However, this portion of Kawai merely refers to the user's ability to input or specify a reference position (assembling position) and a direction (assembling direction) when constructing an assembly drawing, but not adjusting the scale of an automatically created view, wherein the view was created in the same context as Appellants' claimed invention, namely presenting a user with a list of the views, where the user places a view from the list onto a sheet to invoke automatic view creation. Thus, Appellants' attorney submits that dependent claims 11, 22 and 33 are patentable over the combination of Bonney, Love and Kawai.

D. Summary.

The references, taken individually or in combination, fail to teach the Appellants' claimed invention. Further, the various elements of the Appellants' claimed invention together provide operational advantages over the systems disclosed in the references. In addition, Appellants' invention solves problems not recognized by the references. Consequently, Appellants' attorney submits that claims 1-18 are allowable over the references.

VIII. CONCLUSION

In light of the above arguments, Appellants' attorney respectfully submits that the cited references do not anticipate nor render obvious the claimed invention. More specifically, Appellants' claims recite novel physical features which patentably distinguish over any and all references under 35 U.S.C. §§ 102 and 103.

As a result, a decision by the Board of Patent Appeals and Interferences reversing the Examiner and directing allowance of the pending claims in the subject application is respectfully solicited.

Respectfully submitted,

GATES & COOPER LLP
Attorneys for Appellants

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(310) 641-8797

Date: December 10, 2007

By: _____
Name: George H. Gates
Reg. No.: 33,500

GHG/

CLAIMS APPENDIX

1. (PREVIOUSLY PRESENTED) A method for operating a graphics program in a computer, comprising:

performing one or more functions of a Sheet Set Manager in the graphics program,

(a) wherein the Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets; and

(b) wherein the function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation.

2. (ORIGINAL) The method of claim 1, wherein boundaries for the views are re-defined after creation.

3. (ORIGINAL) The method of claim 1, wherein each of the views is associated with a viewport.

4. (ORIGINAL) The method of claim 1, wherein each of the views is represented by a thumbnail preview image displayed by the Sheet Set Manager.

5. (ORIGINAL) The method of claim 1, wherein the Sheet Set Manager automatically creates one or more different views for the Sheets in response to a user command.

6. (ORIGINAL) The method of claim 5, wherein the user command comprises a drag-and-drop operation.

7. (ORIGINAL) The method of claim 5, wherein the Sheet Set Manager creates a reference to a file containing the automatically created view.

8. (ORIGINAL) The method of claim 5, wherein the Sheet Set Manager creates a viewport displaying a geometric region defined in the automatically created view.

9. (ORIGINAL) The method of claim 5, wherein the automatically created view is placed in a hierarchical representation displayed on the computer.

10. (PREVIOUSLY PRESENTED) The method of claim 5, wherein the Sheet Set Manager places a label block associated with the automatically created view into the Sheet, with fields to display label information for the automatically created view, which updates automatically if the field's values change.

11. (PREVIOUSLY PRESENTED) The method of claim 5, wherein the Sheet Set Manager allows a user to adjust a scale of the automatically created view.

12. (PREVIOUSLY PRESENTED) An apparatus for operating a graphics program in a computer, comprising:

a graphics program, executed by the computer and performing one or more functions of a Sheet Set Manager in the graphics program,

(a) wherein the Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets; and

(b) wherein the function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation.

13. (ORIGINAL) The apparatus of claim 12, wherein boundaries for the views are re-defined after creation.

14. (ORIGINAL) The apparatus of claim 12, wherein each of the views is associated with a viewport.

15. (ORIGINAL) The apparatus of claim 12, wherein each of the views is represented by a thumbnail preview image displayed by the Sheet Set Manager.

16. (ORIGINAL) The apparatus of claim 12, wherein the Sheet Set Manager automatically creates one or more different views for the Sheets in response to a user command.

17. (ORIGINAL) The apparatus of claim 16, wherein the user command comprises a drag-and-drop operation.

18. (ORIGINAL) The apparatus of claim 16, wherein the Sheet Set Manager creates a reference to a file containing the automatically created view.

19. (ORIGINAL) The apparatus of claim 16, wherein the Sheet Set Manager creates a viewport displaying a geometric region defined in the automatically created view.

20. (ORIGINAL) The apparatus of claim 16, wherein the automatically created view is placed in a hierarchical representation displayed on the computer.

21. (PREVIOUSLY PRESENTED) The apparatus of claim 16, wherein the Sheet Set Manager places a label block associated with the automatically created view into the Sheet, with fields to display label information for the automatically created view, which updates automatically if the field's values change.

22. (PREVIOUSLY PRESENTED) The apparatus of claim 16, wherein the Sheet Set Manager allows a user to adjust a scale of the automatically created view.

23. (PREVIOUSLY PRESENTED) An article of manufacture comprising a program storage device embodying instructions that, when executed by a computer, cause the computer to perform a method for operating a graphics program in a computer, comprising:

performing one or more functions of a Sheet Set Manager in the graphics program,

(a) wherein the Sheet Set Manager manages one or more Sheet Sets, each of the Sheet Sets comprises a collection of zero or more Sheets and Subsets of the Sheets, each of

the Sheets comprises a drawing, layout or view and the Sheet Set Manager manages one or more different views for the Sheets; and

(b) wherein the function comprises an Automatic View Creation, such that the Sheet Set Manager presents a user with a list of the views defined in the Sheet Set and the user places a view from the list onto a Sheet to invoke the Automatic View Creation.

24. (ORIGINAL) The article of claim 23, wherein boundaries for the views are re-defined after creation.

25. (ORIGINAL) The article of claim 23, wherein each of the views is associated with a viewport.

26. (ORIGINAL) The article of claim 23, wherein each of the views is represented by a thumbnail preview image displayed by the Sheet Set Manager.

27. (ORIGINAL) The article of claim 23, wherein the Sheet Set Manager automatically creates one or more different views for the Sheets in response to a user command.

28. (ORIGINAL) The article of claim 27, wherein the user command comprises a drag-and-drop operation.

29. (ORIGINAL) The article of claim 27, wherein the Sheet Set Manager creates a reference to a file containing the automatically created view.

30. (ORIGINAL) The article of claim 27, wherein the Sheet Set Manager creates a viewport displaying a geometric region defined in the automatically created view.

31. (ORIGINAL) The article of claim 27, wherein the automatically created view is placed in a hierarchical representation displayed on the computer.

32. (PREVIOUSLY PRESENTED) The article of claim 27, wherein the Sheet Set Manager places a label block associated with the automatically created view into the Sheet, with fields to

display label information for the automatically created view, which updates automatically if the field's values change.

33. (PREVIOUSLY PRESENTED) The article of claim 27, wherein the Sheet Set Manager allows a user to adjust a scale of the automatically created view.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.